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Provisional summary record of the 26th meeting
Held at Headquarters, New York, on Wednesday, 30 September 2009, at 3 p.m.

Chairman: Mr. Urbina ..... (Costa Rica)

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General debate (*continued*)

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The meeting was called to order at 3.05 p.m.

General debate (*continued*)

1. **Mr. Wolff** (United States of America) said that the danger posed by nuclear, biological and chemical weapons had not ended with the cold war, but had changed: the spectre of global nuclear annihilation had receded, but the risk of the use of weapons of mass destruction had increased.

2. The United States was committed to establishing a voluntary fund to help provide technical support and expertise for the implementation of the resolution and would contribute to such a trust fund once it was established, provided it contained effective transparency and accountability mechanisms. Such a fund could mobilize donors to help strengthen national export laws and detection systems. More bilateral assistance was needed, and a voluntary trust fund could expand multilateral efforts while also bringing more coordination and effectiveness to national assistance efforts.

3. Full implementation was essential for the simple reason that proliferators sought out the weakest links, whether they were poorly secured materials, unguarded borders, or judicial systems too frail to prosecute perpetrators. Any gap in the common defence was a threat to all States.

4. Member States had the sovereign responsibility to regulate their own national commerce and financial systems and to monitor and control their own exports. At the same time, the obligations established by Security Council resolution 1540 (2004) should be seen as an operating standard. The regional workshops had demonstrated Member States' commitment to the non-proliferation goals the resolution set, and should strengthen the tools and mechanisms provided for in it, while recognizing that a "one size fits all" approach to capacity-building would not suffice.

5. The United States welcomed the regional outreach effort. More than two dozen regional and intergovernmental organizations were involved in effective non-proliferation activities. The Group of Eight Global Partnership against the Spread of Weapons and Materials of Mass Destruction should be expanded to include activities contributing to the implementation of the resolution and extended beyond 2012 to address global threats of weapons of mass destruction. His Government had designated a full-time coordinator for the work of the Committee and urged other States and organizations to do the same.

6. His Government's efforts to implement Security Council resolution 1540 (2004) also supported activities carried out pursuant to treaties such as the Treaty on the Non-Proliferation of Nuclear Weapons, the Biological Weapons Convention and the Chemical Weapons Convention, as well as efforts by other non-proliferation groups and arrangements.

7. The Committee's work should be more inclusive so that it could benefit from broader input. His delegation welcomed thoughts on how the Committee's experts could work independently but effectively with the two Security Council counter-terrorism committees and other relevant bodies and partners. Security Council resolution 1540 (2004) could become the centrepiece of renewed global cooperation on non-proliferation. A better-coordinated, better-resourced Committee would demonstrate Member States' commitment to a safer and more secure world.

8. **Mr. Örnéus** (Observer for Sweden), speaking on behalf of the European Union, said that Security Council resolution 1540 (2004) provided a strong legal basis for the European Union's diplomatic and financial efforts to tackle proliferation. The European Union fully supported the clearing-house role of the Committee in matching assistance requests with suitable offers.

9. The European Union was seeking full compliance with the resolution by its member States and by third countries, including through the European Strategy against the Proliferation of Weapons of Mass Destruction. The European Union's new lines for action focused on very concrete action-oriented projects to be undertaken by the end of 2010.

10. Certain provisions of the resolution were being implemented through European legislation, including efficient export controls, which were a key tool for preventing proliferation. A Council Regulation setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items had entered into force in August 2009, and was directly applied in all European Union member States.

11. In line with the European Union Strategy and the resolution, the revised regulation provided a legal basis for enhanced information exchange and the setting up of an online system for sharing information on denials.

It also prohibited the transit of non-Community dual-use items when there was a serious risk of diversion and provided for controls on brokering of such items. Before the end of 2009, the European Union would adopt an action plan of internal measures to prevent, detect and respond to threats and risks relating to chemical, biological, radiological or nuclear materials.

12. With regard to providing assistance to third countries, in May 2008 the European Union had adopted a second joint action aimed at strengthening the skills of third countries' State officials involved in the export control process. It was being implemented by the United Nations Office for Disarmament Affairs and included co-funding for six regional workshops, four of which had already taken place. The European Union had also implemented joint actions in support of, inter alia, the Chemical Weapons Convention, the Biological and Toxin Weapons Convention and the International Atomic Energy Agency.

13. In addition, the European Union Instrument for Stability provided cooperation to third countries in support of the Strategy. The objective was to develop a strong regional approach, in line with the requirements for implementation of the resolution, by creating regional centres of excellence in partnership with key regions. Close coordination with the Committee and with major partners would maximize synergies and improve planning. The next stage could be preparation of national action plans for implementation of Security Council resolution 1540 (2004).

14. The European Union's collective experience in outreach and the provision of assistance had shown that supporting States' implementation of their obligations under the resolution would be a long-term process. Improvement was possible in a number of areas, including coordination of assistance provided by donors and of the exchange of information, and in ensuring that assistance workshops addressed all elements of the resolution, including support for establishing priorities and training of dedicated national staff. The creation of a permanent database of sectoral experts that the Committee could draw upon would enhance the assistance provided to requesting States. Assistance programmes could benefit from focusing on specific areas in order to offer the necessary level of quality.

15. **Mr. de Rivière** (France) said that Security Council resolution 1540 (2004) was a specific and appropriate response by the Security Council to an urgent threat. However, that did not exclude action being taken in other forums to promote the same cause.

16. Full implementation of the resolution was imperative for collective security, yet there were many areas where implementation was weak. Entire sectors were not covered, particularly the biological field, where terrorists could potentially cause the most damage. There were gaps in specific activities, with notable weaknesses in relation to criminalization of the financing of illicit activities and complicity in them, transport of prohibited goods and vectors. There was a lack of implementation reports from specific geographical regions. The opposition shown to the participation in the comprehensive review of the Australia Group and the International Organization of la Francophonie was unfortunate, as their contributions could have been very useful.

17. France had adopted stringent measures, including a Government plan to suppress proliferation flows and an instruction to raise the awareness of ministries concerning efforts against proliferation. Export controls on dual-use goods had been reorganized and draft legislation to strengthen legal measures to counter proliferation had recently been approved and was under consideration by Parliament.

18. His Government recommended that the Committee strengthen its assistance activities by fulfilling its mandate of matching offers and requests for assistance. The Committee should ensure that whenever a bilateral visit between a potential supplier and a requester of assistance occurred, the supplier was aware of the provisions of Security Council resolution 1540 (2004) and the kind of assistance that could be offered.

19. It was also time to begin country-specific visits, as authorized by Security Council resolution 1810 (2008), with full respect for State sovereignty. All States and international organizations should allocate resources for such visits if possible and more experts should be made available. Lastly, it was important to reflect on how to relate assistance to the implementation of Security Council resolution 1540 (2004) with more general support for governance.

20. **Ms. Juul** (Observer for Norway) said that the previous week's unanimous adoption of Security Council resolution 1887 (2009) had sent a strong message that proliferation of nuclear weapons was a

threat to international peace and security and that the safest course of action was to abolish those weapons. Norway welcomed the United States initiative to host a Nuclear Security Summit in Washington in April 2010. The outcome of the Summit would facilitate consensus at the 2010 Nuclear Non-Proliferation Review Conference and contribute to implementation of Security Council resolution 1540 (2004).

21. It was imperative for individual States to implement and enforce national export control regulations on the basis of international standards. Implementation of the resolution not only contributed to a safer world for all, but also facilitated development of the peaceful uses of nuclear energy and realization of the full potential of article IV of the Non-Proliferation Treaty, article X of the Biological Weapons Convention and article XI of the Chemical Weapons Convention.

22. National Governments were responsible for establishing effective domestic controls, but might need external assistance for developing and enforcing national legislation. Norway appreciated the efforts made by the Committee and the United Nations Office for Disarmament Affairs in that area, and would continue its long-standing support for activities promoting the implementation of Security Council resolution 1540 (2004).

23. In that context, new approaches to implementation should be identified. National ownership and commitment were crucial, and Member States should indicate to their national actors how implementation could contribute to broader national development goals. National action plans or road maps were essential for implementation and for assistance requests, and it was also important to engage the private sector. Additional sharing of information and lessons learned should be encouraged, including information on the excellent work of some regional organizations.

24. **Mr. Okuda** (Japan) said that his Government valued the recent adoption of Security Council resolution 1887 (2009) on nuclear proliferation and disarmament, in which the Security Council had reaffirmed the need for full implementation of Security Council resolution 1540 (2004). The international community was seriously concerned that sensitive materials and technology could fall into the hands of countries or terrorists that were aiming to develop weapons of mass destruction. In Asia, the development and enhancement of the non-proliferation regime was regarded as an urgent regional issue. Regional and interregional cooperation should be enhanced in order to address proliferation challenges.

25. His Government hoped that non-reporting countries, which amounted to one sixth of all Member States, would be able to present their national reports to the Committee soon. Member States should share additional information which would be of benefit in identifying actions for enhanced cooperation. In addition to establishing a legal framework and national institutions, Member States should ensure strict enforcement of the pertinent laws and regulations.

26. His Government had been making capacity-building efforts that would facilitate implementation of the resolution, with a particular focus on Asian countries. As the threat of proliferation in the Asian region remained strong, Japan would continue its cooperation in the region and with the larger international community.

27. Japan also hoped that the Committee would further strengthen cooperation with international regimes on non-proliferation, including export control regimes. In order to ensure peace and security, the international community should renew its efforts to address individual problems. Japan remained committed to work with the Committee and the international community for fuller and more effective implementation of the resolution.

28. **Mr. Barbalić** (Observer for Bosnia and Herzegovina), speaking also on behalf of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons, said that his Government and the Organization had co-organized the "International Seminar on National Implementation of Non-Proliferation Obligations: the OPCW as an Example of Effective Assistance in National Implementation of the Chemical Weapons Convention". The Czech Republic had provided financial support for the Seminar, which had been attended by representatives of all countries in the region, a number of international organizations with mandates relevant to the theme, intergovernmental organizations, industry, non-governmental organizations, academia and civil society.

29. The participants had discussed examples of how national implementation measures could be developed

and put into action and how assistance could be provided in an effective manner to countries requiring it. They had also learned a great deal about the efforts undertaken by Bosnia and Herzegovina and other States in the region to put into place effective measures to counter terrorism and the proliferation of weapons of mass destruction. The Seminar had contributed to greater recognition of the fact that Security Council resolution 1540 (2004) concerned all States, not only those possessing materials and technologies relevant to such weapons.

30. A proposal had been put forward for a pilot project to address those issues in the context of the Western Balkans region: the Implementation Programme against CBRNe Terrorism (IPACT), in order to develop a more integrated approach to counter-terrorism and the non-proliferation of weapons of mass destruction. Bosnia and Herzegovina would act as the pilot country, but the methods and approaches developed would also be evaluated for their utility in a wider regional context, and potentially for other regions. Specific measures for a national strategy would be developed and implemented in partnership with all organizations and agencies that were working towards effective national implementation in their respective fields of responsibility and competence. Countries in the region would be closely involved in a discussion of approaches and practical results, information exchange and experience-sharing. The project would help international agencies to better coordinate their implementation support and assistance activities.

31. Technical expertise and financial contributions provided by participating countries and by international and regional organizations were crucial to the effective development and implementation of the IPACT pilot project. Its methods, approaches and best practices for capacity-building might also be evaluated for use in other regions. He invited donors and interested partners to contribute to the project.

32. Another outcome of the Seminar was the establishment of the Steering Committee on non-proliferation issues, a national team of experts from relevant ministries and agencies to revise national policies in the sphere of non-proliferation and counter-terrorism. The team functioned as a national implementation unit.

33. The Government of Bosnia and Herzegovina was already in contact with a number of organizations to seek support for further development of the project. It was an opportunity to enhance cooperation in improving Member States' mechanisms and capacities for meeting the challenges of terrorism and proliferation.

34. **Mr Adi** (Syrian Arab Republic) said that joint national committees had been created in his country to ensure the implementation of Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004), as well as the best forms of cooperation with the Security Council Committees established under those resolutions. Such cooperation by Member States was urgently needed in order to eradicate terrorism, including terrorist operations such as those that had for decades been carried out on Syrian territory. Those Committees, however, were discriminatory in their dealings with Member States, focusing noticeably more attention as they did on certain States or geographical groupings to the exclusion of others that were not, for instance, subjected to the same requests for the submission of reports on their implementation of terrorism-related resolutions.

35. His country had participated in numerous counter-terrorism workshops and submitted a national report to the Security Council Committee established pursuant to resolution 1540 (2004) on its implementation of that resolution. It had also been among the first to sign the Treaty on the Non-Proliferation of Nuclear Weapons and possessed no such weapons, nor any of their means of delivery or related materials. In 1992, it had furthermore signed an Agreement with the International Atomic Energy Agency (IAEA) for the application of safeguards in connection with that Treaty. By contrast, Israel was the only country in the Middle East to possess a large nuclear arsenal and also the only non-signatory to the Treaty. Moreover, its facilities were not subject to any punitive authority and it was not an IAEA Member or part of the IAEA safeguards system. Such grave failures of compliance with the Treaty merely served to indicate Israel's lack of respect for resolution 1540 (2004), for IAEA and for the international efforts for nuclear disarmament.

36. **Ms. Schilling** (Observer for the Financial Action Task Force (FATF)) said that FATF used four main tools to combat the illicit activities falling within its mandate: setting standards; assessing compliance;

applying political pressure on non-cooperative and high-risk jurisdictions; and studying typologies. It had issued internationally recognized standards — the Forty Recommendations and Nine Special Recommendations — for concrete legislative, regulatory and judicial action to prevent money-laundering and financing of terrorism. FATF members had committed at the political level to implementing those recommendations and undergoing comprehensive assessments of their compliance with them. In the case of non-cooperative and high-risk jurisdictions, political pressure was applied. FATF also published typology reports that examined the methods and techniques used in financing illicit activities.

37. FATF had supported the creation of eight FATF-style regional bodies that encouraged implementation of FATF standards in their regional membership. The FATF community included over 180 jurisdictions. The global network was reinforced by the participation of international organizations with observer status.

38. The relationship of FATF with the United Nations, and in particular the Committee, was very important for furthering the important goal of combating proliferation. The international community had only recently begun to focus on the financing component of proliferation, which was the area where FATF was able, because of its proven expertise in combating money-laundering and terrorist financing, to contribute substantially to the global effort. FATF had published a study of methods and techniques used to finance proliferation and three guidance papers to assist countries in their implementation of Security Council resolutions 1540 (2004), 1737 (2006) and 1803 (2008). The guidance papers had been welcomed and endorsed by the Security Council.

39. In November 2008, FATF had established a Project Team of interested jurisdictions, under the leadership of Switzerland and the United Kingdom, with participation from Committee members and from the private sector, to develop policy options for consideration that would further assist with the implementation of Security Council resolution 1540 (2004). The Project Team had been meeting on the margins of FATF plenary meetings, inter-sessionally, and by means of conference calls. A private sector consultation process would continue over the next few months. Ultimately, FATF would issue new guidance during 2010-2011, possibly with an amendment or supplement to its Recommendations.

40. The Project Team's recent work had focused
five broad themes. The first was legal systems a
criminalization, in which the Project Team w
working to develop a definition of proliferati
financing. Although such a definition would not
binding on other international forums or organizatio
it would facilitate FATF's development of measures
counter such activity. Some countries had chosen
criminalize proliferation financing as a speci
primary offence, while others had criminalized it
the basis of an ancillary offence to proliferation. It w
important that countries had an adequate legal basis
investigate and prosecute proliferation financing a
that different approaches to criminalization should n
hamper the countries' ability to provide mutual leg
assistance, including investigation, asset forfeiture a
extradition. Export controls offered another challeng
as not all countries had implemented them consistentl

41. The second broad theme was targeted financi
sanctions and their relationship to the framework
Security Council resolution 1540 (2004). T
resolution did not specifically require States
establish an asset-freezing regime, but so
jurisdictions had implemented national target
sanctions as a means of meeting the finance-relat
obligations it established. FATF had developed a gre
deal of expertise in that area through its developme
of standards and guidance to assist countries
implementing their obligations pursuant to Securi
Council resolutions 1267 (1999) and 1373 (2001).

42. The third broad theme was responsibilities f
financial institutions in detecting and preventi
proliferation financing. The vigilance exercised
financial institutions over their customers' activiti
was a fundamental element of measures again
money-laundering and terrorism financing. FATF w
considering, in consultation with the private secto
how such vigilance might practically be used
counter proliferation financing.

43. The fourth theme was information flows. T
Project Team was considering how information held
financial institutions might be relevant to t
investigation and prosecution of proliferation financi
and how that information might be shared wi
Government authorities. The fifth theme w
awareness-raising and information sharing, bo
domestically and internationally.

44. The work of FATF and the United Nations was complementary, as both were pursuing the common objective of preventing abuse of the global financial system for financing the activities of criminals trafficking in weapons of mass destruction. In pursuing those objectives, FATF sought to assist jurisdictions in implementing their obligations pursuant to relevant United Nations conventions and Security Council resolutions and to ensure that its work did not duplicate or compete with other efforts, including those of the United Nations. The Committee's ongoing participation in FATF's work on proliferation financing was therefore imperative. FATF had benefited from the input of experts from the Committee and hoped that such participation would continue in the future.

45. Awareness-raising and outreach was another key area. The United Nations was uniquely placed to reach those States that were not members of the FATF network. For example, Security Council resolution 1803 (2008) welcomed the guidance issued by FATF to assist States in implementing their financial obligations under Security Council resolution 1737 (2006). Such endorsement was helpful in raising the awareness of jurisdictions.

46. FATF also supported technical assistance and was very interested in the review currently being conducted by the Committee. The fight against proliferation financing was a multidimensional and truly global endeavour. Close cooperation and collaboration with the international community was essential. There was a concrete synergy between the work of FATF and the Committee and FATF attached great importance to their relationship.

47. **Mr. Tarar** (Observer for Pakistan) said that the follow-up mechanisms of Security Council resolution 1540 (2004) must be made more inclusive, transparent and balanced in terms of the responsibilities of States and the international cooperation available to them. All States must have an equal voice in matters relating to implementation of the resolution.

48. Following the adoption of Security Council resolution 1540 (2004), Pakistan had established a task force to review its national implementation, identify areas for improvement and make recommendations for the adoption of new regulatory and legislative instruments and enforcement mechanisms. Pakistan had submitted to the Security Council Committee established pursuant to the resolution three national reports in which it described specific action taken between 2005 and 2008 on the basis of the task force's recommendations, including: the adoption in 2004 of the Export Control on Goods, Technologies, Material and Equipment related to Nuclear and Biological Weapons and their Delivery Systems Act; the notification in 2005 of national control lists of goods, technologies, materials and equipment related to nuclear and biological weapons and their delivery systems, to be subject to stringent export controls; the establishment in 2006 of the Strategic Export Control Division to streamline the implementation of export controls and license the export of items on national control lists; and the establishment of an oversight board to independently review implementation of export controls.

49. Pakistan had also taken measures related to the safety and security of radioactive and nuclear materials and related facilities. Specifically, in 2006, the Government had approved a Nuclear Security Action Plan, which aimed at strengthening the safety and security of nuclear and radioactive materials and facilities containing such materials, preventing and detecting illicit trafficking in nuclear and radioactive materials, and responding to incidents of illicit trafficking and nuclear and radiological security emergencies. The Pakistan Nuclear Regulatory Authority was implementing the Action Plan with the cooperation of IAEA and had adopted a body of national regulations covering various aspects of nuclear safety and security. Adherence to such standards was a prerequisite for the licensing of any operation involving nuclear or radioactive material. Pakistan was also participating in the IAEA Illicit Trafficking Database and voluntarily subscribed to the IAEA Code of Conduct on the Safety and Security of Radioactive Resources. In 2007, the Government had announced its participation in the Global Initiative to Combat Nuclear Terrorism by endorsing the related Statement of Principles. Other relevant initiatives included the development of biosafety guidelines, the establishment of several committees for the monitoring and implementing of biosafety practices, and an ordinance passed in 2000 on implementation of the Chemical Weapons Convention.

50. In addition, Pakistan was involved in a number of international activities, including training and assistance in export control issues; regular interaction with international export control regimes; bilateral

consultation with countries on non-proliferation and export control issues; and participation in the Container Security Initiative.

51. Pakistan had identified several priority areas for future action: notification of export control licensing rules and procedures; national and bilateral programmes for the further training of export control licensing officers; training of enforcement officials; and awareness-raising with regard to recent improvements in export control laws and regulations and the need for compliance at all levels. Pakistan stood ready to offer assistance to requesting States on the use of radiation detection equipment for the prevention of illicit trafficking in nuclear and radioactive material.

52. **Mr. Laborde** (Observer for the Counter-Terrorism Implementation Task Force (CTITF)) said that the work of the Security Council Committee established pursuant to resolution 1540 (2004) was clearly linked to the United Nations Global Counter-Terrorism Strategy, which underscored the need for international cooperation to improve the mechanisms and policies of Member States aimed at preventing the illicit transit or acquisition of deadly material and coordinating a response to a terrorist attack involving weapons of mass destruction. In keeping with those goals, CTITF had established a Working Group on Preventing and Responding to Weapons of Mass Destruction Attacks, in which the participation of the Committee was crucial to developing a coordinated response to potential attacks and compiling existing practices and lessons learned.

53. CTITF could also contribute significantly to the work of the Committee. The variety of organizations represented on CTITF provided the Committee with an opportunity to engage more creatively with Member States with regard to implementation of the resolution, thereby contributing to the Committee's broader work in international peace and security. Innovative approaches included greater emphasis on the preventive aspect of counter-terrorism: the Committee might benefit from studying and replicating already successful initiatives in that area. By the same token, direct engagement with other members of CTITF could serve to promote implementation of the resolution. The presence of a representative of the Committee's Expert Group at the upcoming CTITF retreat in Vienna was critical in that regard.

54. **Mr. Vilović** (Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism) said that while the Security Council Committees established pursuant to resolutions 1373 (2001) and 1540 (2004) had distinct mandates, they both had been established in response to global security threats and, unlike most sanctions committees, which dealt with a specific country or measure, they maintained a global outlook. The ongoing work of the two Committees to implement their respective resolutions was, moreover, mutually reinforcing, and contributed to reducing the threat of proliferation and terrorism, in particular, that involving weapons of mass destruction.

55. The Committees had adopted correlated approaches to monitoring implementation of the resolutions by Member States and enhancing their dialogue with them: the Counter-Terrorism Committee had developed a table, similar to the table known as the "matrix" used by the Security Council Committee established pursuant to resolution 1540 (2004), referred to as the "preliminary implementation assessment", which enabled the Committee to focus on implementation rather than the mere collection of reports, and to increase the consistency and transparency of its analysis of all Member States. The Counter-Terrorism Committee had prepared such an assessment for virtually all Member States and a second review was under way.

56. Implementation of the resolutions required long-term commitments, as analysis by both Committees showed that no country had fulfilled all the requirements of either resolution 1373 (2001) or resolution 1540 (2004). The sharing of experience with regard to the usefulness of such monitoring tools as the preliminary implementation assessment and the matrix between the Committees and their experts would enable them to focus on the remaining areas of partial implementation of the resolutions, especially within the context of the common strategies adopted by the Counter-Terrorism Executive Directorate and the expert groups of the Security Council Committees established pursuant to resolutions 1540 (2004) and 1267 (1999).

57. While the primary responsibility for implementing resolutions 1373 (2001) and 1540 (2004) lay with Member States, regional and subregional organizations were instrumental in developing tailor-made implementation initiatives, including by

coordinating with other stakeholders in the region and relevant United Nations entities. Recognizing their contribution in terms of capacity-building assistance and promotion of the ratification and implementation of regional and subregional counter-terrorism and non-proliferation instruments, the Counter-Terrorism Committee had organized a series of special meetings involving over 70 international, regional and subregional organizations.

58. **Mr. Mayr-Harting** (Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities) said that it was essential to maintain vigilance over the continuing risk of terrorist attacks using chemical, radiological and nuclear material. Success would depend not only on proper implementation of the arms embargo measures contained in Security Council resolution 1267 (1999) and its successor resolutions, but also on the maintenance of close working relations among the three Security Council Committees that dealt with terrorism and their expert groups.

59. The three expert groups in question had greatly enhanced cooperation in recent years. In 2006, they had devised a common strategy to deal with States that had fallen behind on reporting to the Committees, which had led to increased reporting and a better understanding among States of the Committees' different mandates. In 2009, the three expert groups had presented another common strategy on engaging with international, regional and subregional organizations, entities and agencies with a view to increasing coherence and coordination in the counter-terrorism efforts of the three Committees in their relationships with such organizations. The expert groups were currently devising a joint strategy on the provision of technical assistance.

60. The groups continued to contribute to and coordinate their work within the framework of CTITF; such cooperation would be facilitated by the co-location of the expert groups and CTITF. In addition, in 2005, the chairmen of the three Committees had agreed to give joint briefings to the Security Council every six months. Above all, it was essential that the United Nations provide a global framework to combat terrorism and proliferation, in compliance with all obligations under international law.

61. **Mr. Puri** (Observer for India) said that India had taken steps to strengthen its legislative and regulatory mechanism to control weapons of mass destruction, including by enacting in June 2005 the Weapons of Mass Destruction Act, which criminalized a range of unlawful activities relating to weapons of mass destruction and their means of delivery. In addition, outreach activities were undertaken regularly to raise awareness in the industrial sector about Security Council resolution 1540 (2004), and training programmes were offered to officials working in the administration of dual-use goods.

62. India had recently submitted an update to its first report and related addenda on implementation of Security Council resolution 1540 (2004), focusing on the developments of the past three years and the draft matrices circulated by the Committee. The Government of India supported efforts to prepare guidelines for handling assistance requests by countries and to find means of addressing the most common gaps in implementation of the resolution. It was important that those activities be carried out only at the request of a country and bearing in mind national capacities, procedures and systems. India stood ready to assist requesting countries bilaterally in capacity-building and in the fulfilment of their obligations under the resolution. Furthermore, the involvement of regional organizations in the implementation of the resolution should be considered carefully, as the expertise required might not be available at the regional or subregional level.

63. **Mr. Ben-Shaban** (Libyan Arab Jamahiriya) said that, notwithstanding the substantial progress achieved towards the implementation of Security Council resolution 1540 (2004), an intensification of efforts by Member States to modify their national legislative frameworks, including with regard to the prohibition of activities relating to nuclear, biological and chemical weapons and their means of delivery, remained necessary. The establishment of new institutional bodies to facilitate communication among governmental authorities concerned with the implementation of the resolution was also necessary, as was the strengthening of measures to account for, secure and physically protect related materials. The system for monitoring the importation of such materials also required enhancement.

64. Another area of vital importance was the pursuit of ever more fruitful cooperation between the

Committee and international, regional and subregional organizations, which should play a bigger role in assisting their member States to implement resolution 1540 (2004). The Committee should also seek to develop its function as a focal point for information exchange with a view to providing assistance to States for the implementation of the resolution by matching requests for such assistance with offers made, strengthening dialogue with and among States in order to determine their assistance needs and identify projects designed to meet those needs, and raising awareness of existing financial mechanisms, as well as promoting their optimum use and examining options for their development with a view to capacity-building for implementation. In short, the comprehensive review provided an excellent opportunity for Member States and participating governmental and non-governmental organizations to air their views as to the best means of strengthening full implementation of resolution 1540 (2004), the aim of that exercise being to provide a clear picture of the risks and challenges involved and of means of addressing them.

65. **Mr. McNee** (Observer for Canada), noting that Canada had submitted three reports on its implementation of Security Council resolution 1540 (2004), said that the wide-ranging requirements of the resolution might prove challenging for some States. He therefore supported the resolution's emphasis on the need to provide assistance in response to specific requests by States lacking legal and regulatory infrastructure, implementation experience or resources. To that end, Canada had funded an awareness-building workshop on the resolution in the Dominican Republic in 2008; it had also recently supported a workshop on export controls and maritime security in Jamaica. Both workshops had been attended by representatives of a number of other Caribbean countries. Canada remained willing to consider specific requests for assistance.

66. The identification of the right specialists for the provision of assistance was critical. Assistance must move from general awareness-building to addressing the specific aspects of the resolution. He proposed the creation of an experts' template, to be organized by the key paragraphs of the resolution. Member States could contribute the names and details of their officials with specialized knowledge in the areas covered by each paragraph. Canada stood ready to discuss the format and modalities of such a template with the Expert Group.

67. Referring to paragraph 22 of Security Council resolution 1887 (2009), he recognized that the United Nations Trust Fund for Global and Regional Disarmament Activities had been helpful in channelling resources into capacity-building for the implementation of Security Council resolution 1540 (2004). Given the significant gaps between the obligations of Member States under the latter resolution and actual implementation, however, the Committee should continue to examine other options for funding mechanisms, including a dedicated voluntary fund.

68. Canada strongly supported the invitation extended to States in Security Council resolution 1673 (2006) to share lessons learned and to explore programmes to implement Security Council resolution 1540 (2004) with international, regional and subregional organizations. Upon assuming the presidency of the Group of Eight in 2010, Canada intended to deepen the dialogue between the Committee and the Group of Eight to ensure States' capacity to implement the resolution.

69. **Mr. Kim** Bonghyun (Observer for the Republic of Korea) said that the Security Council Committee established pursuant to resolution 1540 (2004) could achieve further success in combating the combined threat of terrorism and proliferation of weapons of mass destruction through close cooperation with the Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001), and through the sharing of lessons learned with international and regional organizations and export control regimes.

70. Noting that reporting had increased significantly, he commended the outreach activities of the Committee and Member States; it was now time to shift the focus from reporting to implementation. In that regard, progress was required in the effective use of existing funding mechanisms. Further cooperation among Member States in terms of information exchange and capacity-building was also key to full implementation of Security Council resolution 1540 (2004).

71. The unique role of the resolution made its implementation indispensable to international peace and security. That was most clear in the area of nuclear proliferation, as the international community faced two conflicting developments: a growing need for nuclear

energy amid climate change and energy crises, and a likely increase in nuclear proliferation and insecurity.

72. **Mr. Paschalis** (Observer for South Africa) said that ensuring adequate reporting remained a major challenge; he encouraged the Committee to continue working with the tools at its disposal to secure a satisfactory reporting base, without which it would be difficult to draw meaningful conclusions. Measures to achieve the resolution's objectives should continue to be taken in accordance with a number of parameters, in accordance with the purposes and principles of the Charter of the United Nations. Efforts to move beyond the formulation of "appropriate effective" measures would give rise to even more complex questions, including what specific measures should be required and who would judge their appropriateness and effectiveness.

73. Issues such as convergence, common interpretation, compatibility and the addressing of gaps in implementation were best addressed within the multilateral framework, which would ensure sustainable solutions with maximum ownership. It was of the utmost importance to uphold the Non-Proliferation Treaty, the Biological Weapons Convention, the Chemical Weapons Convention and other relevant multilateral instruments and to draw on the work done on the basis of those instruments.

74. Regional forums were excellent platforms for States to develop approaches to unique regional challenges, as well as for outreach activities; however, care should be taken not to create the impression that regional organizations were being used to enforce positions from outside the region in question. As for the analysis of implementation by region, South Africa was concerned about the conclusions reached regarding certain regions, including its own, as neither the matrix methodology nor the level of reporting provided a basis for such conclusions. While the issue of underreporting no doubt required attention, so too did that of real capacity constraints in the face of many acute developmental and other priorities. Some of those challenges might be addressed by, inter alia, drawing on the assistance offered by peers and mobilizing resources aimed at rendering direct material and human resource development assistance. South Africa, in addition to submitting reports to the Committee, had participated in negotiating Security Council resolution 1810 (2008) and offered assistance to other Member States.

The meeting rose at 5.20 p.m.